## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

STANLEY A. PUGH, : CIVIL ACTION NO. 09-1572

Plaintiff,

:

V.

CHESTER DOWNS AND MARINA, LLC,: et al.,

Defendants.

ORDER

AND NOW, this 4th day of June 2010, it is hereby ORDERED that Defendant Chester Downs and Dougherty's motion for summary judgment (doc. no. 44) is GRANTED in part and DENIED it in part.

AND IT IS SO ORDERED.

s/Eduardo C. Robreno
EDUARDO C. ROBRENO, J.

<sup>1.</sup> The motion will be granted as to Plaintiff's intentional infliction of emotional distress claim and any claim for attorney's fees. The motion will be denied as to the battery, malicious prosecution and punitive damages claims.